



**APPROVED**

**BOARD OF ADJUSTMENT  
CITY OF SCOTTSDALE  
CITY HALL KIVA  
3939 NORTH DRINKWATER BOULEVARD  
SCOTTSDALE, ARIZONA  
MAY 3, 2006**

**STUDY SESSION MINUTES**

**PRESENT:** Carol Perica, Chairman  
Jennifer Goralski, Vice-Chairman  
Terry Kuhstoss, Board Member  
Howard Myers, Board Member  
James Vail, Board Member

**ABSENT:** Ernest Jones, Board Member  
Neal Waldman, Board Member

**STAFF PRESENT:** Tim Curtis  
Sherry Scott  
Brad Carr  
Jesus Murillo  
Jeff Ruenger  
Lusia Galav

**CALL TO ORDER**

The study session of the Scottsdale Board of Adjustment was called to order by Chair Perica at 5:35 p.m.

**ROLL CALL**

A formal roll call confirmed the members present as stated above.

**APPROVED 6/7/2006 BOA-FC**

## **DISCUSSION ITEMS**

### **1. Administrative Items**

- **2006 Boards and Commissions Conference Reminder (11/03/2006)**

Chair Perica reminded Board Members that the Boards and Commissions Conference would be held on Friday, November 3, 2006, at the Black Canyon Conference Center.

- **Review the Purpose, Powers, and Duties of the Board of Adjustment**

### **2. Discussion of items on the regular agenda.**

2-BA-2006                      Shoen Residence

Chair Perica reviewed items listed on the regular agenda, noting that the applicant for case 2-BA-2006 would like the item continued to the next meeting.

4-BA-2006                      Barciz Residence

Board Member Myers mentioned that the Planning Commission had initiated a text amendment addressing issues pertaining to the development standards in the R1-7 district. Mr. Curtis clarified that many of the R1-7 properties were annexed under different development standards prior to being annexed into the city. An analysis of ways in which to take a holistic approach to the R1-7 development standards is being conducted. The setback issue and nonconforming status issue applying to 4-BA-2006 would be reviewed as part of a text amendment.

In response to an inquiry by Board Member Vail concerning whether a text amendment would affect key lot provisions, zero foot, and ten foot provisions, Mr. Curtis stated that many issues that may not be working under today's development standards would be looked at comprehensively.

3-BA-2006                      Konfara Company @ Scottsdale Industrial Airpark

In response to a question by Board Member Myers, Mr. Ruenger stated that the property was obtained by the current owner subsequent to the original DRB approval in 1995.

### **6. 5-BA-2006                      Summit Ranch Lot 2 Fence Variance**

Mr. Curtis noted that the review of the Purpose, Powers, and Duties had been overlooked earlier in the study session.

- **Review the Purpose, Powers, and Duties of the Board of Adjustment**

Mr. Curtis stated that the Board was presented with the State statute regarding the Board of Adjustment as well as the City Ordinance on the Board of Adjustment for review and discussion of their powers and duties.

Ms. Scott addressed the Board. She explained that the Board of Adjustment was created under State statute A.R.S. Section 9-462.06 and the Board's powers and duties mirror the zoning ordinance. The Board of Adjustment would not be able to recommend a change that would conflict with the statute, but could request a text amendment change to modify some of their powers and duties.

3. **Board update and discussion of changes to the City Zoning Ordinance.**

Board Member Myers inquired whether there were any restrictions for making recommendation for ordinance changes based on the types of cases that were presented to the Board of Adjustments. Ms. Scott suggested that problems being seen concerning the zoning ordinances as variances go through could be addressed by Planning Commission and City Council the way the zoning ordinance is currently written.

**ADJOURNMENT**

With no further business to discuss, the study session adjourned at 5:45 p.m.

Respectfully submitted,  
A/V Tronics, Inc.